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BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

DEPT. OF TRANSPORTATION  
DOCKET SECTION

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In the matter of the application of )

NOTICE OF PROPOSED RULEMAKING )  
CONCERNING PASSENGER MANIFEST )  
INFORMATION )

(Notice 96-23) )  
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Docket OST-95-950 -49

COMMENTS OF  
HAWAIIAN AIRLINES, INC.

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November 12, 1996

3 pgs.

BEFORE THE  
DEPARTMENT OF TRANSPORTATION  
WASHINGTON, D.C.

In the matter of the application of	)	
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(Notice 96-23)	)	
	)	

COMMENTS OF  
HAWAIIAN AIRLINES, INC.

Hawaiian Airlines, Inc., hereinafter ("Hawaiian"), submits these comments in response to the Department of Transportation Notice of Proposed Rulemaking § 61 Fed. Reg. 47692 (September 10, 1996) concerning passenger manifest information to be collected for international flights.<sup>1/</sup>

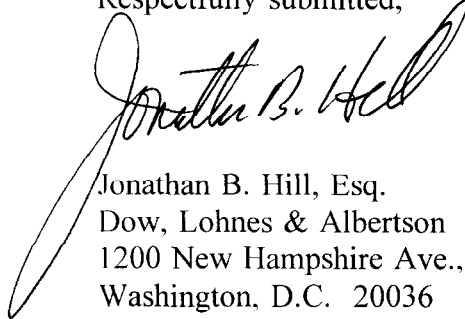
In filing these comments, Hawaiian seeks clarification of the scope of this rule as it may apply to Hawaiian's operations conducted between Honolulu, Hawaii and Pago Pago, American Samoa. For a number of purposes, mainly associated with FAA regulatory issues, the Honolulu/Pago Pago route is governed by rules applicable to international operations. Because of this Hawaiian wants to clarify that its interpretation of the NPRM, namely that the rules do not apply to transportation provided between two places within the United States, is consistent with the Department's interpretation. Hawaiian notes that the definition of "covered flight" means a "flight segment operated to or from the United States" (*i.e.*, the flight segment with the last point of departure or the first point of arrival in the United States). A "covered flight" does not include a flight in which both the origin and destination are in the United States. The United States is defined as meaning the "States comprised of the United States of America, the District

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<sup>1/</sup> Hawaiian joins in the comments of the Air Transport Association of America ("ATA") filed on behalf of its members on this date. The filing of these comments are supplemental to the ATA submission and reflect the unique concerns of Hawaiian Airlines.

of Columbia and territories and possessions of the United States including the territorial seas and the overlying air space." Based upon these definitions it is Hawaiian's conclusion that operations to and from American Samoa are not covered by this proposed regulation.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jonathan B. Hill". The signature is fluid and cursive, with a large loop at the end of the last name.

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Dated: November 12, 1996